



Attorney Docket No. 40072-0006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Takahito ONO et al.

Confirmation No. 1024

Appl. No.: 10/800,714

Examiner: Unassigned

Filing Date: March 16, 2004

Art Unit: 3736

Title: SLEEP APNEA SYNDROME DIAGNOSING DEVICE AND SIGNAL ANALYZER, AND METHODS THEREOF

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action that would be appropriate to antedate or otherwise remove as a competent reference any document that is determined to be a *prima facie* prior art reference against the claims of the present application.

RELEVANCE STATEMENT

The foregoing documents came to the Applicants attention during a search of the corresponding international application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.



U.S. Application No. 10/800,714

English translations of the foreign-language documents may not be readily available; however, the absence of such translations does not relieve the PTO from its duty to consider the submitted documents (37 CFR §1.98 and MPEP §609). An English abstract of Document B03 is attached.

STATEMENT

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

TIMING/FEEs

The instant Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits under 37 CFR §1.97(b)(3), therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Consideration of the references submitted is requested.

Respectfully submitted,

Date: July 27, 2005

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Complete if Known

Application Number	10/800,714
Filing Date	March 16, 2004
First Named Inventor	Takahiko ONO et al.
Group Art Unit	3736
Examiner Name	Unassigned
Attorney Docket Number	40072-0006

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	B01	EP 0 006 826 A1	1/9/1980	Heinz Scan AG		
	B02	WO 99/30826 A1	6/24/1999	Tetra Laval Holdings & Finance S.A.		
	B03	DE 633 097	7/18/1936	Metallgesellschaft Akt.-Ges		
	B04	GB 1,036,604	7/20/1966	Carpco Research & Engineering Inc.		
	B05	JP 09220491	8/26/1997	NEC Corp.		
	B06	EP 2002059082	2/26/2002	Mitsubishi Electric Corp.		

**Examiner
Signature**

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

U.S. Patent and
Trademark Office

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known

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Sheet	2	of	2
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[illegible]Date
Considered

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